

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN D. BROWN,

Plaintiff,

v.

Case No. 05-cv-275-JPG

STEVE McKILLUP, et al.,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (R&R) (Doc. 21) of Magistrate Judge Donald G. Wilkerson recommending that the Court grant Defendant's Motion to Dismiss for Lack of Prosecution. The time for filing objections to the R&R has passed.

After reviewing a magistrate judge's report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). The Court has received no objection to the R&R. The Court has reviewed the entire file and finds that the R&R is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the R&R in its entirety (Doc. 21). Defendants's Motion to Dismiss is **GRANTED** (Doc. 16). The Clerk of Court is **DIRECTED** to enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: September 15, 2008**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**